

**AMENDMENTS TO THE DRAWINGS**

**Please replace Figs. 1 and 2 with the replacement drawings submitted herewith. No new matter has been added.**

Attachments: Two (2) Replacement Sheets (Figs. 1 and 2).

**REMARKS**

By way of this Amendment, new claims 8-14 have been added, therefore, claims 1-14 are all the claims pending in the application.

Claims 1-7 are rejected.

The specification is objected to because of the incorporation of essential material.

The drawings are objected to because the empty boxes must be textually labeled.

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Ueda et al. (U.S. Patent No. 5,07,759).

The Applicants traverse the rejections and request reconsideration.

***Drawing Objections***

The Applicants submit replacement drawings overcoming the grounds for their rejection.

***Claim Rejections Under 35 U.S.C. § 102***

**Rejection of Claims 1-7 based on Ueda et al.**

The present invention is aimed at determining position and speed accurately even at low speeds. This is done by extracting high frequency voltage and current and determining the position of a magnetic pole or a magnetic flux using the extracted values. Importantly claim 1 requires a high frequency extracting means for extracting a high frequency voltage and a high frequency current. These high frequency voltages and currents are required to be generated from a detecting voltage or a command voltage and a detecting current. Further, a position estimating means is reread for estimating a position of a magnetic flux or a position of a magnetic pole by using the extracted high frequency voltage and the extracted high frequency current.

Ueda does not disclose (or even remotely suggest) such a high frequency extracting means or a position estimating means. The Examiner appears to be considering items 15 and 16 to be equivalent to the high frequency extracting means. However these are simply current sensors. There is no explicit (or inherent) disclosure in Ueda that these current sensors are high frequency voltage or current extractors. In fact, Ueda does not mention anything in particular or specific about high frequency currents or voltages.

Likewise, the Examiner alleges that the state estimation observer 11 is equivalent to the position estimating means. However, the position estimating means in claim 1 is required to estimate the position of the magnetic pole or magnetic flux based on the extracted high frequency voltage and high frequency current. There is no explicit (or inherent) disclosure that the state estimation observer estimates magnetic pole or magnetic flux position based on high frequency current or voltage.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP 2131 *citing Verdegaa Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Ueda does not anticipate (or suggest) the present invention (as recited in claim 1) at least because it does not disclose a high frequency extracting means or a position estimating means as in the present invention (as recited in claim 1).

### ***New Claims***

The Applicants respectfully present new claims 8-14 for examination.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application No.: 10/525,666

Attorney Docket No.: Q86552

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Chid S. Iyer  
Registration No. 43,355

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/265550

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